

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

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In the Matter of)	Docket No. 2012-6 CRB CD 2004-2009
)	(Phase II)
Distribution of the 2004-2009)	
Cable Royalty Funds)	
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In the Matter of)	Docket No. 2012-7 CRB SD 1999-2009
)	(Phase II)
Distribution of the 1999-2009)	
Satellite Royalty Funds)	
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**MPA-REPRESENTED PROGRAM SUPPLIERS’
MOTION FOR FINAL DISTRIBUTION**

MPA-represented Program Suppliers (“MPA”) hereby moves pursuant to 17 U.S.C. § 801(b)(3)(B) for final distribution of its share of the cable and satellite royalty funds allocated to the Program Suppliers’ category for the 2004-2009 cable royalty years (“2004-2009 Cable Royalties”) and the 2000-2009 satellite royalty years (“2000-2009 Satellite Royalties”) in an amount to be calculated by the Licensing Division based on the final distribution percentage shares for the Program Suppliers category that were determined by the Copyright Royalty Judges (“Judges”) in these consolidated proceedings, now that appellate proceedings in the D.C. Circuit are resolved. *See* Final Distribution Determination, 84 Fed. Reg. 16038 (April 17, 2019), *affirmed, Independent Producers Group v. CRB*, D.C. Cir. No. 18-1337, *et al.* (July 21, 2020). The D.C. Circuit issued its mandate in the appellate proceeding on September 14, 2020. With the resolution of this pending appeal, all controversies relating to the 2004-2009 Cable Royalties and 2000-2009 Satellite Royalties for the Program Suppliers category are fully resolved, and the funds remaining on reserve should be available for immediate distribution by the Judges.

MPA's shares in the Program Suppliers category for are as set forth below, and can also be found in the Final Distribution Determination. *See* 84 Fed Reg. at 16039.

2004-2009 Cable Distribution Phase Shares, Program Suppliers Category

<u>Cable Royalty Year</u>	<u>MPA</u>
2004	99.60%
2005	99.60%
2006	99.34%
2007	99.44%
2008	99.28%
2009	99.44%

2000-2009 Satellite Distribution Phase Shares, Program Suppliers Category

<u>Satellite Royalty Year</u>	<u>MPA</u>
2000	99.54%
2001	99.75%
2002	99.74%
2003	99.65%
2004	99.87%
2005	99.73%
2006	99.65%
2007	99.77%
2008	99.78%
2009	99.57%

All Allocation Phase controversies regarding the Program Suppliers category's share of the 2004-2009 Cable Royalties and 2000-2009 Satellite Royalties were resolved through confidential settlement agreements among the Allocation Phase Parties. The confidential Allocation Phase settlement shares for the Program Suppliers category for the 2004-2009 Cable Royalties were previously disclosed to the Judges on October 11, 2016, subject to the Protective Orders that were issued in these consolidated cases.¹ MPA respectfully requests that the Judges permit it to submit any additional information that the Licensing Division may require to distribute the 2004-2009 Cable Royalties and 2000-2009 Satellite Royalties directly to the Licensing Division subject to the Protective Orders issued in this proceeding, and without disclosure to the Judges, if required by the confidentiality terms of any agreement.

CONCLUSION

For the reasons set forth above, MPA's motion for final distribution of its 2004-2009 Cable Royalties and 2000-2009 Satellite Royalties in the Program Suppliers category should be granted, and the Judges should order a final royalty distribution to MPA in the dollar amounts determined by the Licensing Division.

¹ See Joint Response Of The Phase I Parties To Order Granting In Part And Denying In Part IPG's Motion For Partial Distribution Of Program Suppliers Royalties (October 11, 2016) (RESTRICTED).

Respectfully submitted,

/s/ Gregory O. Olaniran

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CERTIFICATE OF SERVICE

I certify that on September 21, 2020, I caused a copy of the foregoing to be served on all parties registered to receive notice by eCRB by filing through the eCRB filing system.

/s/ Lucy Holmes Plovnick

Lucy Holmes Plovnick

Proof of Delivery

I hereby certify that on Monday, September 21, 2020, I provided a true and correct copy of the MPA-Represented Program Suppliers' Motion For Final Distribution to the following:

Devotional Claimants, represented by Benjamin S Sternberg, served via ESERVICE at ben@lutzker.com

Independent Producers Group (IPG), represented by Brian D Boydston, served via ESERVICE at brianb@ix.netcom.com

Signed: /s/ Lucy H Plovnick